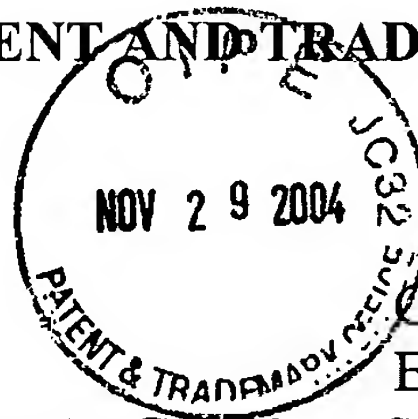


**PATENT**

Attorney Docket No. **KNAUTHE-08178**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Jurgen Hescheler**  
Serial No.: **10/084,960**  
Filed: **02/28/2002**  
Entitled: **Fluorescent Proteins As Cell Type Specific Reporters**



Group No.: **1632**  
Examiner: **J. T. Voitach**

**DECLARATION OF J. MITCHELL JONES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.

Date: 11-24-04

By: 

Mary Ellen Waite

I, John Mitchell Jones, hereby verify that the plasmid pCX-(alpha-actin)GFP-Neo has been deposited under the Budapest Treaty and that the plasmid will be irrevocably and without restriction released to the public upon issuance of a patent. The International Form confirming the deposit is attached hereto.

Dated: 11-24-04

  
J. Mitchell Jones

Registration No. 44,174

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BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

## INTERNATIONAL FORM



Institut für Neurophysiologie  
der Universität zu Köln  
Robert-Koch-Str. 39

50931 Köln

deposited by:  
Prof. Dr. Jürgen Hescheler

DSMZ- Deutsche Sammlung von Mikroorganismen  
und Zellkulturen GmbH  
Mascheroder Weg 1b, D-38124 Braunschweig, Germany  
Tel.: 0531/2618-0 • Fax: 0531/2618-410

30.07.97  
RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR:  pCX- ( $\alpha$ -act) GFP-Neo	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  DSM 11633
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I. above was accompanied by:  (X) a scientific description ( ) a proposed taxonomic designation  (Mark with a cross where applicable).	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on 1997-06-27 (Date of the original deposit) <sup>1</sup> .	
IV. RECEIPT OF REQUEST FOR CONVERSION	
The microorganism identified under I above was received by this International Depositary Authority on (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request for conversion).	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH  Address: Mascheroder Weg 1b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  <i>V. Weiths</i>  Date: 1997-06-30

<sup>1</sup> Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired.